



# City of West University Place

*A Neighborhood City*

## CITY COUNCIL

Susan Sample, Mayor  
Bob Kelly, Mayor Pro Tem  
Burt Ballanfant, Councilmember  
Brennan Reilly, Councilmember  
Mardi Turner, Councilmember

## STAFF

M. Christopher Peifer, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## City Council Special Meeting

**Reunión Especial del Ayuntamiento**

**Notice is hereby given of a special meeting of the City Council of West University Place to be held on Tuesday, May 16, 2017, beginning at 6:00 p.m. in the Municipal Building at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the following agenda items.**

**Se da aviso por la presente de una reunión especial del Ayuntamiento de West University Place que se llevará a cabo el lunes 16 de mayo de 2017, comenzando a las 6:00 pm en el Edificio Municipal en el 3800 University Boulevard, West University Place, Texas. Los siguientes puntos del orden del día.**

All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

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Agenda items are as follows:

Call to Order  
Pledge of Allegiance  
Matters related to the notice of this meeting

**1. Ordinance Canvassing Returns of 2017 General Election**

Matters related to the consideration and adoption of an ordinance canvassing the returns and declaring the results of the General Election held on May 6, 2017; containing findings and provisions related to the subject; and declaring an emergency. *Recommended Action: Adopt ordinance on the first and final reading. Ms. Thelma Gilliam, City Secretary [see Agenda Memo 1]*

**Declaración de la Ordenanza de las Elecciones Generales de 2017**

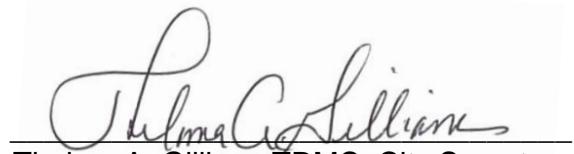
Asuntos relacionados con la consideración y adopción de una ordenanza que analiza los rendimientos y declarando los resultados de la Elección General celebrada el 6 de mayo de 2017; Que contiene conclusiones y disposiciones relacionadas con el tema; Y declarando una emergencia. *Acción recomendada: Adoptar ordenanza en la primera y última lectura. Sra. Thelma Gilliam, Secretaria de la Ciudad [véase Memo del Programa 1]*

**2. Adjourn**

**In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.**

I certify that the attached notice and agenda of items to be considered by the West University Place City Council on May 16, 2015 was posted on the Municipal Building bulletin board on May 11, 2017 at approximately 2:00 o'clock p.m.

(SEAL)



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Thelma A. Gilliam, TRMC, City Secretary

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	May 16, 2017	<b>AGENDA ITEM:</b>	1
<b>DATE SUBMITTED:</b>	May 11, 2017	<b>DEPARTMENT:</b>	Administration
<b>PREPARED BY:</b>	Thelma Gilliam City Secretary	<b>PRESENTER:</b>	Thelma Gilliam, City Secretary Alan Petrov, City Attorney
<b>SUBJECT:</b>	Canvassing Returns and Declaring Results of the May 6, 2017 Election		
<b>ATTACHMENTS:</b>	1. Ordinance w/Canvass Report 2. Ordinance w/Canvass Report in Spanish		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

The City of West University Place held a General Election on Saturday, May 6, 2017. State law requires the City to canvass the returns of the election no earlier than the 3<sup>rd</sup> day and no later than the 11<sup>th</sup> day after the election, which is between May 9 – May 17, 2017.

**RECOMMENDATION**

Staff recommends approval and adoption of the ordinance canvassing returns and declaring the results of the May 6, 2017 election on first and final reading.

**City of West University Place  
Harris County, Texas**

Ordinance No. XXXX

**AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD IN THE CITY OF WEST UNIVERSITY PLACE, TEXAS, ON MAY 6, 2017; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, on February 13, 2017, the City Council of the City of West University Place, Texas, (the "City") adopted Ordinance No. 2027, which ordered that a general election be held in the City on May 6, 2017, for the purpose of electing a Mayor and four Council Members for two year terms; and

**WHEREAS**, said election was called and notices were given in accordance with the law, and the election was held in all material respects in conformity with the law; and

**WHEREAS**, the returns of such election have been duly and legally made and submitted to the City Council, and the City Council has examined such returns, including the tabulation attached hereto as Exhibit A and made a part hereof for all purposes;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE:**

**Section 1.** All of the recitals contained in the preamble to this Ordinance are found to be true and are adopted as findings of fact by this City Council and as part of its judgment, particularly the tabulation of returns of the election set out in Exhibit A.

**Section 2.** The City Council now formally canvasses the returns of such election, and it is hereby adjudged, determined and declared that:

- (1) **Susan Sample**, with a total of 1,939 votes cast for her, has been elected **MAYOR** of the City of West University Place, Texas; and
- (2) **Wayne J. Franklin**, with a total of 1,517 votes cast for him; **Kellye Burke**, with 1,264 votes cast for her; **Bob Higley**, with a total of 1,146 votes cast for him; and **Mardi Turner**, with a total of 1,064 votes cast for her; have been elected **COUNCIL MEMBERS** of the City of West University Place, Texas.

**Section 3.** The City Secretary is hereby authorized and directed to make the appropriate entries of information in the election register maintained by the City in accordance with provisions of Section 67.006 of the TEXAS ELECTION CODE.

**Section 4.** If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance and the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances shall not be affected thereby.

**Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

**Section 6.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Open Meetings Law, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 7.** The public importance of this measure and the requirement of the law create an emergency and an urgent public necessity requiring that this ordinance be passed and take effect as an emergency measure, and a state of emergency is hereby declared. This ordinance is accordingly passed as an emergency measure and shall take effect immediately upon adoption and signature.

**CONSIDERED, PASSED, APPROVED AND ADOPTED** on first and final reading on the 16<sup>th</sup> day of May, 2017.

(Seal)

**Attest:**

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Thelma A. Gilliam, City Secretary

**Signed:**

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Susan V. Sample, Mayor

**Recommended:**

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M. Christopher Peifer, City Manager

**Reviewed:**

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Alan Petrov, City Attorney

**Exhibit A**

**Canvass Report  
(Next pages)**

# Canvass Report — Total Voters — Official

## City of West University Place — General Election — May 06, 2017

Total Number of Voters : 2,470 of 10,936 = 22.59%

Page 1 of 3

### Mayor (Two Year Term)

Precinct	Absentee Ballots Cast	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Susan Sample	Sonny Brandtmer	Greg J. Miccek	Totals
0015 1	40	271	289	600	2867	20.93%	488	46	33	567
0087 1	45	293	258	596	2833	21.04%	478	55	35	568
0133 1	30	304	282	616	2661	23.15%	466	85	33	584
0183 1	19	329	302	650	2546	25.53%	501	83	31	615
0906 1	1	6	1	8	29	27.59%	8	0	0	8
<b>Totals</b>	<b>135</b>	<b>1203</b>	<b>1132</b>	<b>2470</b>	<b>10936</b>		<b>1941</b>	<b>269</b>	<b>132</b>	<b>2342</b>

EXHIBIT "A"

05/11/2017 02:31 PM  
Precincts Reporting 5 of 5 = 100.00%

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05/11/2017 02:31 PM  
Precincts Reporting 5 of 5 = 100.00%

### Council Member (Two Year Term)

Precinct	Absentee Ballots Cast	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Burt Ballanfant	Mardi Turner	Kellye Burke	Dick Yehle	Wayne J. Franklin	Michael Kaplan	Bruce Benneke
0015 1	40	271	289	600	2867	20.93%	177	251	289	193	362	158	235
0087 1	45	293	258	596	2833	21.04%	164	264	269	236	363	187	174
0133 1	30	304	282	616	2661	23.15%	120	258	359	174	387	227	174
0183 1	19	329	302	650	2546	25.53%	165	298	343	191	405	254	183
0906 1	1	6	1	8	29	27.59%	3	4	5	1	2	1	5
Totals	135	1203	1132	2470	10936		629	1065	1265	795	1519	827	771

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Precinct	Absentee Ballots Cast	Early Ballots Cast	Election Ballots Cast	Total Ballots Cast	Registered Voters	Percent Turnout	Bob Higley	Totals
0015 1	40	271	289	600	2867	20.93%	269	1934
0087 1	45	293	258	596	2833	21.04%	283	1930
0133 1	30	304	282	616	2661	23.15%	267	1956
0183 1	19	329	302	650	2546	25.53%	335	2174
0906 1	1	6	1	8	29	27.59%	3	24
<b>Totals</b>	<b>135</b>	<b>1203</b>	<b>1132</b>	<b>2470</b>	<b>10936</b>		<b>1147</b>	<b>8018</b>

Ciudad de West University Place  
Condado de Harris, Texas

Ordenanza No. XXXX

UNA ORDENANZA DE ESCRUTINIO LAS DEVOLUCIONES Y DECLARANDO LOS RESULTADOS DE LA ELECCION GENERAL CELEBRADA EN LA CIUDAD DE OESTE DE LA UNIVERSIDAD, TEXAS, EL 06 DE MAYO 2017; CONTIENE CONCLUSIONES Y DISPOSICIONES RELACIONADAS CON EL TEMA; Y DECLARANDO UNA EMERGENCIA.

CONSIDERANDO que, el 13 de febrero de 2017, el Concejo Municipal de la Ciudad de West University Place, Texas, (la "Ciudad") aprobó la Ordenanza Nº 2027, que ordenó que las elecciones generales se celebrará en la Ciudad el 6 de mayo de 2017, para el propósito de elegir a un alcalde y cuatro miembros del Consejo para períodos de dos años; y

CONSIDERANDO, que dijo que la elección fue llamado y avisos se les dio de conformidad con la ley, y la elección se realizó en todos los aspectos significativos, de conformidad con la ley; y

CONSIDERANDO, que los rendimientos de dicha elección han sido debida y legalmente hecha y presentada al Consejo de la Ciudad, y el Ayuntamiento ha examinado dichos rendimientos, incluyendo la tabulación adjunta al presente como Anexo A y hecho una parte de la misma a todos los efectos;

AHORA, POR LO TANTO, POR ORDEN DEL CONSEJO MUNICIPAL DE LA CIUDAD DE oeste de la universidad:

**Sección 1.** Todos los considerandos contenidos en el preámbulo de la presente Ordenanza se encuentran para ser verdad y se adoptan como determinaciones de hechos de este Ayuntamiento y, como parte de su sentencia, en particular la tabulación de los resultados de la elección que figura en el Anexo A.

**Sección 2.** El Ayuntamiento ahora lienzos formalmente los rendimientos de dicha elección, y por la presente se adjudicó, determina y declara que:

- (1) **Susan Sample**, con un total de 1,939 votos emitidos por ella ha sido elegido alcalde de la Ciudad de West University Place, Texas; y
- (2) **Wayne J. Franklin**, con un total de 1,517 votos emitidos por él; **Kellye Burke** con un total de 1,264 votos emitidos por ella; **Bob Higley**, con un total de 1,146 votos emitidos por él; y **Mardi Turner**, con un total de 1,064 votos emitidos por ella; han sido elegidos concejales de la Ciudad de West University Place, Texas.

**Sección 3.** El Secretario de la Ciudad se autoriza y ordena hacer las entradas apropiadas de información en el registro electoral mantenido por el Ayuntamiento de conformidad con las disposiciones de la Sección 67.006 del CÓDIGO ELECTORAL DE TEXAS.

Sección 4. Si cualquier palabra, frase, cláusula, oración, párrafo, artículo o cualquier otra parte de esta ordenanza o su aplicación a cualquier persona o circunstancia, jamás podrán ser declarados como inválida o inconstitucional por un tribunal de jurisdicción competente, el resto de esta ordenanza y la aplicación de dicha palabra, frase, cláusula, oración, párrafo, artículo o cualquier otra parte de esta ordenanza a cualesquiera otras personas o circunstancias no se verá afectada por el mismo.

**Sección 5.** Todas las ordenanzas y partes de ordenanzas que se oponga a la presente derogada hasta el punto de sólo el conflicto.

**Sección 6.** El Ayuntamiento se encuentra oficialmente, determina y declara que un aviso suficiente por escrito de la fecha, hora, lugar y tema de cada reunión en la que se debatió esta ordenanza, considerado o actuar en consecuencia se le dio en la forma requerida por las Reuniones Abiertas Ley, según enmendada, y que cada una de esas reuniones ha estado abierto al público como lo exige la ley en todo momento durante ese debate, la consideración y la acción. El Ayuntamiento ratifica, aprueba y confirma esos avisos e los contenidos y la publicación de los mismos.

**Sección 7.** La importancia pública de esta medida y el requisito de la ley crea una emergencia y una necesidad pública urgente que requiere que se aprobó esta ordenanza y surta efecto como medida de emergencia, y un estado de emergencia se declara. Esta ordenanza se aprobó en consecuencia como medida de emergencia, y entrará en vigor inmediatamente después de su aprobación y firma.

CONSIDERADO, PASADO, aprobado y adoptado en la primera y última lectura en el día 16 de mayo de 2017.

(Sello)

Attest:

Firmado:

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Secretaria de la Ciudad Thelma A. Gilliam

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Alcalde Susan Sample

**Recommended:**

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Administrador de la Ciudad M. Chris Peifer

**Reviewed:**

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Abogado de la Ciudad Alan Petrov

Anexo A

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(Páginas siguientes)

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